

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN THE MATTER OF:

CASE NO. 15-3837(ESL)

**THE HORNED DORSET PRIMAVERA INC
DEBTOR**

CHAPTER 11

**APPLICATION FOR EMPLOYMENT OF VICTOR RIVERA MALAVE AS
DEBTOR IN POSSESSION 'S ACCOUNTANT**

TO THE HONORABLE COURT:

NOW COMES the DEBTOR IN POSSESSION afore named, represented by its undersigned attorney, and respectfully REQUESTS and PRAYS as follows:

1. The Debtor in Possession wishes to employ the accounting firm of CPA Pedro J. Rivera & Assoc. to serve as accountants for the Debtor in Possession.
2. The Debtor in Possession considers it necessary to retain a capable and knowledgeable firm to help analyze and prepare the financial documentation required in a Chapter 11 proceeding.
3. Based on the foregoing, the Debtor in Possession moves the Court to allow the employment of the accounting firm of CPA Pedro J. Rivera & Assoc. as its accountants in these proceedings.
4. The Debtor in Possession needs retain the services of CPA Pedro J. Rivera, a competent certified public accountant, for the purpose of assisting the Debtor in the discharge of its duties. CPA Pedro J. Rivera will assist the Debtor, inter alia, in the analysis of the debtor's monthly reports of operations, the debtor's Disclosure Statement

and proposed plan of reorganization financial and cash projections, and other matters relating to debtor's finances in general.

5. CPA Pedro J. Rivera represents no other entity in connection with this case, and thus he is disinterested as the term is defined in 11 USC 101(13), and represents or holds no interest adverse to the interest of the Debtor with respect to the matters on which he and his firm are to be employed. An Unsworn Declaration signed by CPA Pedro J. Rivera to those effects and in support of this Application is attached as Exhibit 1.

6. CPA Pedro J. Rivera has agreed to perform accounting services, as needed and as requested by the Debtor, at fees commensurate with its normal hourly rates as follows:

- a. \$90.00 per hour for CPA Pedro J. Rivera
- b. \$65.00 per hour for Experience Staff Accountant
- c. \$45.00 per hour for Staff Accountant plus out of pocket expenses
- d. Transportation expenses will be billed at a rate of \$0.65 per mile plus out of pocket expenses.
- e. A retainer of \$6,000.00 is required.(Enclosed and made part of this request is copy of the engagement letter)

7. The Debtor understands that such proposed rates are reasonable and customary in this District.

**NOTICE OF RESPONSE TIME
WITHIN FOURTEEN (14) DAYS AFTER SERVICES AS
EVIDENCED BY THE CERTIFICATION- and an additional three (3)
days pursuant Fed. R. Bankr. P. 9006(f) if you were served by mail – any**

party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, must serve and file an objection of other appropriate response to this paper with the Clerk's Office of the U.S. Bankruptcy of the District of Puerto Rico. If no objection of other response is timely filed within the timer allowed herein, the paper will be deemed unopposed unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the Court, the interest of justice otherwise requires. IF NO OBJECTION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT FURTHER NOTICE OF HEARING.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, on this 17th day of July 2015

CERTIFICATE OF SERVICES: I hereby certify that on this same date I have filed a true and exact copy of the foregoing Application with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the Assistant US Trustee, and all participants of CM/EMF. On this same date, a copy of the instant motion was sent by regular mail to the US Trustee as the US Trustee Office, Ochoa Building, Room 301, 500 Tanca Street, San Juan, and Puerto Rico 00919, and to Debtors 20 Largest Unsecured Creditor through regular US Mail.

S/ Isabel M. Fullana
GARCÍA-ARREGUI & FULLANA PSC
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252 Ponce de León Avenue
Hato Rey, Puerto Rico 00918
Tel: (787) 766-2530
Fax: (787) 756-7800
E-mail: isabelfullana@gmail.com



CPA Pedro J. Rivera & Assoc.

Member of American Institute of Certified Public Accountants

July 8, 2015

Wilhem Sack, General Manager
429 Bo Barrero
Rincón, PR 00677

Dear Mr. Sack:

Herewith, we are submitting a proposal as Certified Public Accountants to review the financial and accounting records of The Horned Dorset Primavera, Inc. on a monthly basis and to issue the reports required by the United States Bankruptcy Court for the District of Puerto Rico in compliance with requirements for debtors in possession and trustees under Chapter 11, Case # 15-03837.

Our Firm will provide all necessary personnel, facilities and services required to provide an on-site review of the business economic transactions for the periods of post petition and post confirmation.

The review shall be conducted and reports written, in accordance with generally accepted reviewing standards and the general accepted accounting principles promulgated by the American Institute of Certified Public Accountants.

The following accounting ledgers, accounting cycles, financial reports and subsidiaries records among other registers will be review and adjustment recommended if necessary to prepare financial report under the United States Trustees operating reporting requirements for debtors in possession and trustees.

- Financial Statements
- General Ledger
- Invoicing/Account receivable/Cash receipts (Guest and residences ledger)
- Purchase/Account payable/Cash disbursements
- Payroll register/Disbursement
- Food and beverage inventory
- Fixed assets subsidiary
- Other assets
- Line of credit
- Notes payable
- Accrued liabilities
- Guest deposits

The following reports will be prepared.

I. Debtor's monthly financial reports (business).

- ◆ Monthly financial report for business (cash receipt and disbursements)
- ◆ Monthly accounts receivable aging and reconciliation (Attachment 1)
- ◆ Monthly accounts payable and secured payments report (Attachment 2)
- ◆ Inventory and fixed assets reports (Attachment 3)
- ◆ Monthly bank accounts reconciliation (Attachment 4)
- ◆ Check register (Attachment 5)
- ◆ Monthly tax report (Attachment 6)
- ◆ Summary of officers or owners compensations (Attachment 7)
- ◆ Significant developments during reporting period (Attachment 8)

II. Post-confirmation chapter 11 monthly reports.

This engagement will include the review of the following tax returns and the preparation of all other report required to be filed by the United States Bankruptcy Court for the District of PR not previously mentioned.

<u>Returns</u>	<u>Frequency</u>
Social Security, FICA 941 PR	Quarterly
Unemployment Insurance (Federal and Local)	Quarterly
SINOT and Chauffeurs Insurance	Quarterly
Business of Volume Declaration – Patent	Annual
Property - Personal	Annual
Income Tax (special partnership election)	Annual
Others - Income Tax withheld and Social Security, workmen compensations, etc.	Monthly

Bookkeeping transactions will be process at the Corporations premises and/or our offices. The management will give all the necessary support to complete the above tasks.

III. Prepetition reports.

This engagement will include the bookkeeping for the following prepetition periods of operation.

- a. Fiscal year ended April 30, 2015.
- b. For the period from May 1st to May 22 of 2015.

Professional Fees:

Based on the industry, special reports to be prepared (Chapter 11), Tax constraints, and general observation of the existing records, our quotation is.

-\$90.00 per hour of service for CPA Pedro J. Rivera.

-\$65.00 per hour for Senior Accountants.

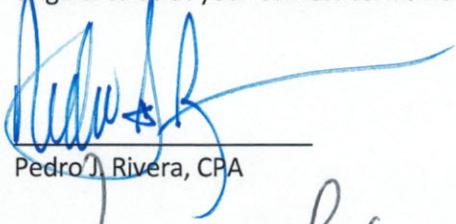
-\$45.00 per hour for Staff Accountants.

-\$25.00 per hour for secretarial services.

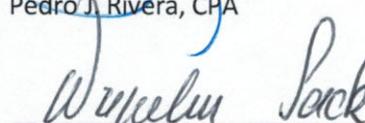
Transportation expenses will be billed at a rate of \$.65 per mile plus out of pocket expenses.

A retainer fee of \$6,000 is required.

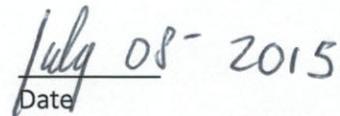
If this proposal meets your approval, please sign a copy of the same as evidence of consent and return the original to us at your earliest convenience.



Pedro J. Rivera, CPA



Wilhem Sack, General Manager
The Horned Dorset Primavera, Inc.



Date

isr



CPA Pedro J. Rivera & Assoc.

Member of American Institute of Certified Public Accountants

Profile of Mr. Pedro J. Rivera Concepción, CPA

Mr. Pedro Juan Rivera Concepción is a sole practitioner doing business as CPA Pedro J. Rivera & Associates with office located at Méndez Vigo St., 93 West, Suite 201-A, Mayagüez, Puerto Rico.

Graduated in 1978 "Cum Laude" from the Catholic University of Puerto Rico, Mr. Rivera Concepción has accrued over 37 years of experience in accounting, auditing and finance. He initiated his career with an International Certified Public Accountant's firm, Haskins & Sells and up to mid-80's held top management positions in the manufacturing and service industries being the last two, comptroller and general manager for public and, closely held corporations respectively.

He has practice public accounting since 1987 as a sole practitioner, and among others, had given services to regulated Industries/sectors such as; Credit Unions and Universities. His auditing and consulting services have been exported to USA continental clients and to the Dominican Republic. He has been the president of the Puerto Rico State Society of CPA's Western Chapter, a member of the PR State Society of CPA's board of directors, and also, appointed as chairman of the PR State Society of CPA Small Firms Committee.

His public accounting practice had been certified under the Peer Review Program sponsored by the American Institute of Certified Public Accountants for four consecutive periods with unmodified opinions.

If you have any questions, please contact me at 787-831-2398 or write at cpapedrojrivera@gmail.com.



Commonwealth of Puerto Rico
Department of State
The Board of Certified Public Accountants of Puerto Rico

- HEREBY CERTIFY THAT -

Pedro J. Rivera Concepción

having met all the requirements of the law, has been included in the Registry of the Board as a

Certified Public Accountant

License Number 1739

In witness whereof, this license is issued for the exercise of this profession, under the Seal of the Board.

In San Juan, Puerto Rico is granted on October 23rd, 2013

12/01/2016
Expiration Date

PRACTICING
License Type

Jeronimo A. Tornó
President of the Board of Accountancy
J. M.
Under Secretary for Examination Boards

Reyes-Ramis CPA Group, PSC

Certified Public Accountants & Consultants



Juan Reyes-Ramis, CPA, CFE
Managing Partner

José A. Colón Álvarez, CPA
Partner

Eric Rosaly Torres, CPA
Partner

SYSTEM REVIEW REPORT

Pedro J. Rivera Concepcion, CPA
and the Peer Review Committee of the Colegio de
Contadores Públicos Autorizados de Puerto Rico

We have reviewed the system of quality control for the accounting and auditing practice of Pedro J. Rivera Concepcion, CPA ("the Firm") in effect for the year ended June 30, 2011. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants. The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review. The nature, objectives, scope, limitations of, and the procedures performed in a System Review are described in the standards at www.aicpa.org/prsummary.

In our opinion, the system of quality control for the accounting and auditing practice of Pedro J. Rivera Concepcion, CPA ("the Firm") in effect for the year ended June 30, 2011 has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Pedro J. Rivera Concepcion, CPA has received a peer review rating of *pass*.

March 21, 2012

License No. 196
Ponce, Puerto Rico

Stamp number E18786 was
affixed to the original report

Reyes-Ramis CPA Group, PSC

OF PUERTO RICO

Bank 15-03837

In re

HORNED DORSET PRIMAVERA INC

Debtor in Possession

Chapter 11

CERTIFICATE OF ACCOUNTANT

I, PEDRO JUAN RIVERA CONCEPCIÓN do hereby certify under penalty of perjury that to the best of my knowledge, information and belief the following is true and correct;

1. I am a Certified Public Accountant authorized to the practice of accounting in the Commonwealth of Puerto Rico.
2. That I maintain an office for the practice of accounting at Méndez Vigo St. # 93 W Suite 201-A, Mayagüez, PR under the name of CPA Pedro J. Rivera & Assoc.
3. The aforementioned case was filed on May 22, 2015
4. That I have agreed to assist the Debtor in these proceedings, as more particularly set forth in of the Debtor certificate for appointment of accountant under the terms and conditions set forth therein, subject to the approval of this court.
5. To the best of my knowledge I am not a creditor, equity security holder or insider in this case.
6. I have no interest materially adverse to the interest of the estate or of any class of creditors or equity security holders, by reason of any direct or indirect relationship to, connection with, or interest in, the debtor.

7. To the best of my knowledge the undersigned has no connection with Debtor's creditors, or any other party in interest their respective attorneys and accountants, or the United States Trustee, or any person employed in the office of the United States Trustee.

8. The source of the compensation promised to me shall be from debtor's funds and /or from such funds to which debtor may be legally entitled, including from Debtor's operations.

9. There are no agreements on the part of the undersigned for the sharing of any compensation or reimbursement received or to be received under 11 U.S.C.A. 330 (a) and 503 (b) (2), or otherwise in connection with this case, nor will it share in any way such compensation or reimbursement received by another person under such sections.

10. That the undersigned is a disinterested person as the term is defined in 11USCA 101(14)

11. Neither I nor any member of my Firm holds or represent any interest adverse to the Estate of the above named debtor.

12. The terms of compensation agreed to are as follows:

- A) The rate of \$ 90.00 per hour plus expenses for Partners;
- B) The rate of \$65.00 per hour for Senior Accountant.
- C) The rate of \$45.00 per hour for Staff Accountants.
- D) The rate of \$25.00 per hour for secretarial services.

Transportation expenses will be billed at a rate of \$.65 per mile plus out of pocket expenses.

A retainer fee of \$6,000 is required.

13. I will file the required request for compensation with the Court.

14. I will amend this statement immediately upon my learning that:

- (a) any of the representations made herein are incorrect or,
- (b) there is any change of circumstance relating thereto.

15. I have reviewed the provisions of LBR2016-1

In San Juan, Puerto Rico, this 15 day of July 2015

A handwritten signature in blue ink, appearing to read "Julio J.R.", is written over a horizontal line.